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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,872	10/19/2001	Simon Blanchard	PHTW 000007	4956

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

MCLEAN MAYO, KIMBERLY N

ART UNIT PAPER NUMBER

2187

DATE MAILED: 06/03/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/082,872

**Applicant(s)**

BLANCHARD, SIMON

**Examiner**

Kimberly N. McLean-Mayo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on March 22, 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5 and 7-9 is/are rejected.
- 7) ☒ Claim(s) 3 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. In view of the Appeal Brief filed on March 22, 2004, PROSECUTION IS HEREBY REOPENED. A detailed action is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

### ***Specification***

2. 37 CFR 1.77 stipulates the following. Compliance is required.

§ 1.77 Arrangement of application elements.

(a) The elements of the application, if applicable, should appear in the following order:

- (1) Utility application transmittal form.
- (2) Fee transmittal form.
- (3) Application data sheet (see § 1.76).
- (4) Specification.
- (5) Drawings.
- (6) Executed oath or declaration.

(b) The specification should include the following sections in order:

- (1) Title of the invention, which may be accompanied by an introductory portion stating the name, citizenship, and residence of the applicant (unless included in the application data sheet).
- (2) Cross-reference to related applications (unless included in the application data sheet).
- (3) Statement regarding federally sponsored research or development.
- (4) Reference to a "Sequence Listing," a table, or a computer program listing appendix submitted on a compact disc and an incorporation-by-reference of the material on the compact disc (see § 1.52(e)(5)). The total number of

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compact discs including duplicates and the files on each compact disc shall be specified.

- (5) Background of the invention.
- (6) Brief summary of the invention.
- (7) Brief description of the several views of the drawing.
- (8) Detailed description of the invention.
- (9) A claim or claims.
- (10) Abstract of the disclosure.
- (11) "Sequence Listing," if on paper (see §§ 1.821 through 1.825).
- (c) The text of the specification sections defined in paragraphs (b)(1) through (b)(11) of this section, if applicable, should be preceded by a section heading in uppercase and without underlining or bold type.**

[43 FR 20464, May 11, 1978; 46 FR 2612, Jan. 12, 1981; paras. (h) and (i), 48 FR 2712, Jan. 20, 1983, effective Feb. 27, 1983; revised, 61 FR 42790, Aug. 19, 1996, effective Sept. 23, 1996; revised, 65 FR 54604, Sept. 8, 2000, effective Nov. 7, 2000]

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Becker et al. (USPN: 5,878,223) in view of Kurasugi (PGPUB US 2002/0194434).

Regarding claims 1, 4 and 7, Becker discloses determining a group of references (links) to resources (page) from a given first resource (current page) (Figures 5A, 5B, 6; C 9, entire, C 10, entire - when establishing the prediction table, a group of references to resources from a given resource are determined); for each reference to a resource in the group, computing a respective weight and assigning it to the reference (C 9, L 19-29; C 10, L 47-55); determining a reference from the group having a maximal respective weight (highest preference indication) and prefetching the resource referenced by that reference (C 2, L 37-62; C 4, L 54-67; C 5, entire; C 6, L 1-24). Becker does not teach computing the respective weight for a reference based on the

number of times the resource referenced by that reference has been fetched previously and on the number of times one or more further resources have been fetched previously from a server that serves the resource referenced by the reference. Kurasugi teaches this feature (section 0060). This feature taught by Kurasugi provides an efficient means for prefetching to eliminate the need to increase the communication bandwidth between a cache and a server. Hence, it would have been obvious to one of ordinary skill in the art to use Kurasugi's teachings with the system taught by Becker for the desirable purpose of efficiency.

Regarding claim 8, Becker discloses a worldwide web browser (Figure 1, Reference 12).

Regarding claim 9, Becker discloses a caching proxy server (Figure 1, Reference 130).

5. Claims 1, 4-5 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saksena (USPN: 6,055,572) et al. (USPN: 5,878,223) in view of Kurasugi (PGPUB US 2002/0194434).

Regarding claims 1-2, 4-5 and 7-9, Saksena discloses determining a group of references (links) to resources from a given first resource (pathfile – C 9, L 21-24); for each reference to a resource in the group, computing a respective weight and assigning it to the reference (Figure 7; Reference 705; C 2, L 34-36); determining a reference from the group having a maximal respective weight and prefetching the resource referenced by that reference (C 7, L 45-54; Claims 2, 5). Saksena does not teach computing the respective weight for a reference based on the number of times the resource referenced by that reference has been fetched previously and on the number of times one or more further resources have been fetched previously from a server

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that serves the resource referenced by the reference. Kurasugi teaches this feature (section 0060). This feature taught by Kurasugi provides an efficient means for prefetching to eliminate the need to increase the communication bandwidth between a cache and a server. Hence, it would have been obvious to one of ordinary skill in the art to use Kurasugi's teachings with the system taught by Saksena for the desirable purpose of efficiency.

Regarding claim 7, all client/server systems include a computer program product enabling a programmable device (such as a cpu) to function as stated above.

Regarding claim 8, Saksena does not explicitly disclose a caching proxy server. However, caching proxy servers are well known in the art for reducing latency between remote devices by providing faster access to the data. Hence, it would have been obvious to one of ordinary skill in the art to use a caching proxy server in the system taught by Saksena and Kurasugi for the desirable purpose of improved performance.

Regarding claim 9, Saksena discloses a world-wide web browser (C 3, L 8).

***Allowable Subject Matter***

6. Claims 3 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly N. McLean-Mayo whose telephone number is 703-308-9592. The examiner can normally be reached on M-F (9:00 - 6:30) First Friday Off.

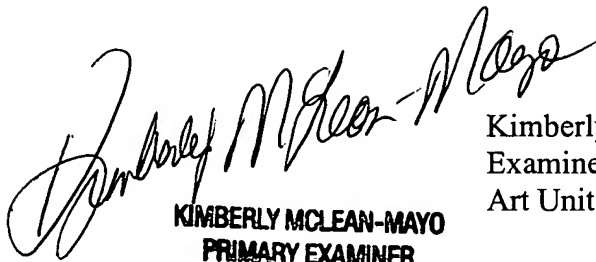
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 703-308-1756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**KIMBERLY MCLEAN-MAYO**  
**PRIMARY EXAMINER**

Kimberly N. McLean-Mayo  
Examiner  
Art Unit 2187

KNM

May 27, 2004